

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN A. HIRSCH and RONALD W.
ZOLLA, Individually and as officers,
directors, and shareholders of ZHL, Inc., and
ZHL, Inc.,

Plaintiffs,

v.

MICHAEL LAMENSDORF and KATHY
LAMENSDORF, Individually and as
shareholders of ZHL, Inc.,

Defendants.

CIVIL ACTION NO. 0510902-DPW

OPHNET, INC., a Massachusetts corporation,
JOHN A. HIRSCH and RONALD W.
ZOLLA, individually and as shareholders of
ZHL, Inc., a Massachusetts corporation, and
KENNETH CRAM,

Plaintiffs,

v.

MICHAEL LAMENSDORF, individually
and as a shareholder of ZHL, Inc., MICHAEL
LAMENSDORF, M.D., P.C., a Florida
professional corporation; BAYOU
JENNKAY, INC., a Florida corporation,
KATHY LAMENSDORF, individually and
as an officer of Bayou JennKay, Inc., and
ZHL, INC., a Massachusetts corporation,

Defendants.

CIVIL ACTION NO. 05-10970-DPW

CERTIFICATION UNDER LOCAL RULE 16.1(D)(3)

Defendants, Dr. Michael Lamensdorf, Michael Lamensdorf, M.D., P.A., Bayou JennKay, Inc., and Kathy Lamensdorf, and their counsel, hereby certify, pursuant to Local Rule 16.1(D)(3), that they have conferred:

(a) with a view to establishing a budget for the costs of conducting the full course — and various alternative courses — of this litigation; and

(b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: July 5, 2005

MICHAEL LAMENSDORF, MICHAEL
LAMENSDORF, M.D., P.A., BAYOU
JENNKAY, INC., and KATHY
LAMENSDORF

By their attorneys,

/s/ Ian J. McLoughlin
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CERTIFICATION

I, the undersigned authorized representative of the defendants, hereby certify that I have had discussions with my attorneys with a view towards establishing a budget for the costs of conducting various courses of this litigation. We also have discussed and considered the resolution of this litigation through the use of appropriate alternative dispute resolution program.

/s/ Michael Lamensdorf

/s/ Kathy Lamensdorf